

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

|                                |   |                      |    |
|--------------------------------|---|----------------------|----|
| DAVID E. SMITH,                | ) | FILED                |    |
|                                | ) | APRIL 28 , 2008      | YM |
| Plaintiff,                     | ) | 08CV2413             |    |
|                                | ) | JUDGE DOW            |    |
| vs.                            | ) | MAGISTRATE JUDGE COX |    |
|                                | ) | CIVIL ACTION NO.:    |    |
| PUBLISHERS CLEARING HOUSE LLC, | ) |                      |    |
|                                | ) | JURY TRIAL DEMANDED  |    |
|                                | ) | ON ALL COUNTS        |    |
|                                | ) |                      |    |
| Defendant.                     | ) |                      |    |

**NOTICE OF REMOVAL**

PLEASE TAKE NOTICE that Publishers Clearing House LLC (“PCH”), through undersigned counsel, hereby removes the state court action entitled *David E. Smith. v. Publishers Clearing House*, Civil Action No. 2008L001657, filed in the Circuit Court of Cook County in the State of Illinois, pursuant to 28 U.S.C. §§ 1332, 1441, and 1446.

**BACKGROUND**

1. On or about February 13, 2008, Plaintiff filed this action against PCH by filing a complaint in the Circuit Court of Cook County, in the State of Illinois, bearing Number 2008L001657 (the “Complaint”). A copy of the Complaint is attached hereto as Exhibit 1.
2. In this action, Plaintiff alleges that he won the Publishers Clearing House Sweepstakes in July 1997, November 1997, September 1998, October 1998, and November 1998, but that PCH withheld his prize money. (See Complaint, attached hereto as Exhibit 1.) Plaintiff also alleges that PCH committed fraud in connection with letters

PCH mailed to Plaintiff on these dates. It appears that Plaintiff seeks prize money from these sweepstakes along with other money damages and/or attorney's fees.

3. Plaintiff mailed a copy of the Complaint and Summons to the return address listed on the mailings Plaintiff received from PCH. PCH has not been properly served.

4. Thus, because PCH was not properly served with the Complaint in this case more than 30 days prior to the date of this filing, this Notice of Removal is being timely filed pursuant to 28 U.S.C. § 1446(b).

5. As more fully set forth below, this case is properly removed to this Court pursuant to 28 U.S.C. §§ 1332 and 1441, because it is a civil action in which the amount in controversy exceeds the sum of \$75,000, exclusive of costs and interest and is between citizens of different states.

**I. REMOVAL IS PROPER BECAUSE THIS COURT HAS SUBJECT MATTER JURISDICTION PURSUANT TO 28 U.S.C. §§ 1332 and 1441.**

**A. Amount In Controversy**

6. It is apparent from the face of the Complaint that Plaintiff seeks recovery of an amount in excess of \$75,000, exclusive of costs and interest. Plaintiff's Complaint seeks millions of dollars from PCH. The ad damnum listed on the Clerk of the Circuit Court of Cook County's docket sheet for this matter is \$10,000,000.

7. Plaintiff's Complaint, which seeks millions of dollars from Defendant, establishes that the amount in controversy exceeds the \$75,000 threshold. The federal court in removal actions determines the amount in controversy by reviewing plaintiff's state court complaint, along with the record as a whole. Shaw v. Dow Brands, Inc., 994 F.2d 364, 366 (7th Cir. 1993). See also Herremans v. Carrera Designs, Inc., 157

F.3d 1118, 1121 (7th Cir. 1998)(“The test for whether a case satisfies the amount in controversy requirement is whether the complaint makes a good-faith claim for the amount, not whether the plaintiff is actually entitled to such an amount.”); NLFC, Inc. v. Devcom Mid-America, Inc., 45 F.3d 231, 237 (7th Cir. 1995)(“Generally, the amount in controversy claimed by plaintiff in good faith will be determinative on issue of jurisdictional amount, unless it appears to legal certainty that claim is for less than that required by rule.”); National Union Fire Ins. Co. of Pittsburgh, Pa. v. Wilkins-Lowe & Co., Inc., 29 F.3d 337, 339 (7th Cir. 1994) (“The sum claimed by the plaintiff, of course, controls the determination of jurisdictional amount if the claim is apparently made in good faith.”); 16 Moore’s Federal Practice § 107.14[2][g][iv] (Matthew Bender 3d ed.) (In the removal context, defendant’s burden of proving that the amount in controversy requirement is satisfied if the plaintiff claims a sum greater than the jurisdictional requirement.); Gaus v. Miles, Inc., 980 F.2d 564, 566 (9th Cir. 1992); citing St. Paul Indem. Co. v. Red Cab Co., 303 U.S. 283, 288-289 (1938)(In removal cases, the burden of proving amount in controversy is satisfied if plaintiff claims a sum greater than the jurisdictional requirements).

**B. Complete Diversity of Citizenship**

8. There is complete diversity between Plaintiff, on the one hand, and PCH on the other hand.

9. PCH is an New York limited liability company whose membership is comprised of 14 trusts located in New York and Florida; two individuals who are citizens of New York and Florida respectively; and two corporations, one of which is a New York corporation with principal place of business in New York and one of which is

a Delaware corporation whose principal place of business is in New York. None of the members are citizens of the state of Illinois for purposes of determining diversity. See Wise v. Wachovia Secs., LLC, 450 F.3d 265, 267 (7th Cir. 2006)(The citizenship of LLC is determined by citizenship of its members.); Hicklin Eng., L.C. v. Bartell, 439 F.3d 346, 348 (7th Cir. 2006)(The citizenship of a trust is that of the trustee.); Sadat v. Mertes, 615 F.2d 1176, 1180 (7th Cir. 1980)(To be a citizen of a state within the meaning of the diversity statute, a natural person must be both a citizen of the United States and domiciled within that state.); 28 U.S.C. § 1332(c)(1)(“a corporation shall be deemed to be a citizen of any State by which it has been incorporated and of the State where it has its principal place of business...”).

10. Upon information and belief, Plaintiff is a citizen of Illinois.

## **II. PUBLISHERS CLEARING HOUSE LLC HAS SATISFIED THE PROCEDURAL REQUIREMENTS FOR REMOVAL.**

11. This Notice of Removal is timely filed pursuant to 28 U.S.C. § 1446(b). PCH was not served with the Complaint in this case more than 30 days prior to the date of this filing. In fact, PCH has not yet been properly served. Accordingly, this Notice of Removal is being timely filed pursuant to 28 U.S.C. § 1446(b). See Murphy Brothers, Inc. v. Michetti Pipe Stringing, Inc., 526 U.S. 344, 347-348 (1999)(“[W]e hold that a named defendant’s time to remove is triggered by simultaneous service of the summons and complaint, or receipt of the complaint, “through service or otherwise,” after and apart from service of the summons, **but not by mere receipt of the complaint unattended by any formal service**”(emphasis added)).

12. The United States District Court for the Northern District of Illinois embraces the county in which the state court action is now pending. Therefore,

this action is properly removed to the Northern District of Illinois pursuant to 28 U.S.C. §§ 93(a) and 1441(a).

13. Pursuant to 28 U.S.C. § 1446(d), PCH is filing written notice of this removal and a copy of the Notice of Removal with the clerk of the state court in which this action is currently pending and will serve a copy of this notice on all parties to the removed action.

WHEREFORE, Publishers Clearing House LLC respectfully removes this action from the Circuit Court of Cook County, in the State of Illinois, bearing No. 2008L001657, to this Court pursuant to 28 U.S.C. §§ 1332, 1441, and 1446.

Dated: April 28, 2008

Respectfully submitted,

BRYAN CAVE LLP

By: /s/ M. Angela Buenaventura

Steven R. Smith  
M. Angela Buenaventura  
BRYAN CAVE LLP  
161 North Clark Street, Suite 4300  
Chicago, Illinois 60601  
Telephone: (312) 345-5000  
Facsimile: (312) 602-5050  
Firm I.D.: 40886

*Attorneys for Publishers Clearing  
House LLC*

**CERTIFICATE OF SERVICE**

I, M. Angela Buenaventura, an attorney, hereby certify that on this 28th day of April, 2008, a copy of the foregoing was mailed, first-class, postage prepaid to the following pro se plaintiff in this matter:

David E. Smith  
6546 S. Stewart Ave.  
Chicago, IL 60621-3140

By: /s/ M. Angela Buenaventura

M. Angela Buenaventura

2120 - Served 2121 - Served  
 2220 - Not Served 2221 - Not Served  
 2320 - Served By Mail 2321 - Served By Mail  
 2420 - Served By Publication 2421 - Served By Publication  
 SUMMONS ALIAS - SUMMONS

CCG N001-75M-2/28/05 (43480658)

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
 COUNTY DEPARTMENT, \_\_\_\_\_ DIVISION

(Name all parties)

David E Smith

v.

Publishers Clearing House

2008L001637  
 CALENDAR/ROOM V  
 TIME 00:00  
 FRAG

No. 071

101 Winners Circle  
 Port Washington New York  
 11050

## SUMMONS

## To each Defendant:

YOU ARE SUMMONED and required to file an answer to the complaint in this case, a copy of which is hereto attached, or otherwise file your appearance, and pay the required fee, in the Office of the Clerk of this Court at the following location:

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> Richard J. Daley Center, 50 W. Washington, Room _____, Chicago, Illinois 60602 |  |   |
| <input type="checkbox"/> District 2 - Skokie<br>5600 Old Orchard Rd.<br>Skokie, IL 60077                | <input type="checkbox"/> District 3 - Rolling Meadows<br>2121 Euclid<br>Rolling Meadows, IL 60008      | <input type="checkbox"/> District 4 - Maywood<br>1500 Maybrook Ave.<br>Maywood, IL 60153          |
| <input type="checkbox"/> District 5 - Bridgeview<br>10220 S. 76th Ave.<br>Bridgeview, IL 60455          | <input checked="" type="checkbox"/> District 6 - Markham<br>16501 S. Kedzie Pkwy.<br>Markham, IL 60426 | <input type="checkbox"/> Child Support<br>28 North Clark St., Room 200<br>Chicago, Illinois 60602 |

You must file within 30 days after service of this Summons, not counting the day of service.

IF YOU FAIL TO DO SO, A JUDGMENT BY DEFAULT MAY BE ENTERED AGAINST YOU FOR THE RELIEF REQUESTED IN THE COMPLAINT.

## To the officer:

This Summons must be returned by the officer or other person to whom it was given for service, with endorsement of service and fees, if any, immediately after service. If service cannot be made, this Summons shall be returned so endorsed. This Summons may not be served later than 30 days after its date.

Atty. No.:

Name: David E Smith personallyAtty. for: acting on my behalfAddress: 6546 So. Stewart aveCity/State/Zip: Chicago, Ill. 60621Telephone: 773-488-3829

WITNESS,

[Signature]  
 Clerk of Court

Date of service:

(To be inserted by officer on copy left with defendant or other person)

FEB 13 2008

Service by Facsimile Transmission will be accepted at:

(Area Code) (Facsimile Telephone)

ROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILL.

ORIGINAL - COURT FILE

EXHIBIT

1



2008L001657

CALENDAR/ROOM V

PLAINTIFF's STATEMENT OF COMPLAINT FRAUD

Fraud

Defendant (s) Ignored chance to settle  
fraudulently acts of propaganda loop holes  
that continues to hinder payment of  
monies won by plaintiff,

Plaintiff file Case No.2007 CONSC-  
00198708 no avail.

As defendant (s) reject our godly conduct to solve matters  
it's necessary to help our cause by appealing to governments  
and ,Plaintiff request & pray that THE CIRCUIT COURT COOK  
COUNTY ILLINOIS Take jurisdiction over Case No.0715

Now comes Plaintiff personally negotiating my claim, from 1997 until 2008 defendant (s)  
have sent out many prize checks all over this country for millions of dollars; However  
plaintiff for the same time peoriod hasn't received one award check from defendant (s)  
allthough plaintiff is winner of five month or date for the five July 1997, November 21, 1997  
(awards)  
September 1998, about October 14, 1998, November 16, 1998 1. \$3-5 million dollars, 2. \$10-million  
dollars 3. \$5-million dollars , 4. \$5,376,600.00 , 5. \$13,614,543.00., I am holding two winning  
numbers that match defendant ' (s) winning numbers, i am not sure about the other three  
winning numbers, numbers that I have is for \$3-5million dollars , \$10,-million dollars  
all letters including one dated January 16, 2008 letters are falsefied with words like  
(should you be the winner) documents may fraud organization propaganda as provided your entry  
reach our office on time., However no letter or document from 1997 until today 2-7-08 denied  
the fact that Plaintiff did win April 13, 1998 giveaway No.525 for \$3-5 million dollars  
and on or about November 21, 1997 Plaintiff was reality winner of giveaway No.375 for  
\$10,-million dollars cash.

Plaintiff Hereby request the court to Defentant (s) to send certified to my home at  
(order)  
6546 South Stewart Avenue Chicago, Illinois 60621-3140 or as the court see fit , pay court  
cost attorney fee if any.

Respectively submitted

By

DAVID E SMITH 773-488-3829

*David E Smith*

Subscribed and sworn to before me  
this 13th day of Feb 2008  
at Chicago, County of Cook State of Illinois.

Notary Public

OFFICIAL SEAL

Yolanda Booker

Notary Public, State of Illinois  
Commission Expires 3/28/2011

C4316Wa



## PUBLISHERS CLEARING HOUSE

Giveaway No.: Prize to be awarded:

525

\$3,500,000.00  
CASH AT ONCE

Contender Status:

1ST PLACE CONTENDER RIGHTS EXTENDED

Prize No.:

79 3028 2140

Award Date:

OCTOBER 15, 1998

Award Time:

7:00 PM

Verified By:

D.A.

**ALERT!  
PRIZE CLEARANCE  
VERIFIED.**

## COMPUTER AUDIT FORM

FOR JULY  
1997 ENTRY

Contender's Name &amp; Address:

\*\*\*\*\* 5-DIGIT 60621  
1993 19DAVID E SMITH  
6546 S STEWART AV  
CHICAGO IL 60621-3140

FOR INFORMATION SERVICES USE ONLY

Do not write in this space

REPORT COPY - KEEP FOR YOUR RECORDS.

08 FEB -3 PM 4:35  
FILED-5  
DOROTHY E. O'NEILL  
CLERK OF CIRCUIT COURT  
LAW DIVISION

# OFFICIAL RULES

All entries received from this Bulletin by April 3, 1998 will be eligible for all Giveaways listed below. You may receive multiple entry opportunities in our ongoing Giveaways.

Why you were selected to receive this Bulletin. Since we can't mail to everybody, we set up certain qualifications as to what groups we will send Bulletins to and when. (All customers and friends with at least one merchandise order per year or one magazine order in the last 3 months or who write to us requesting admission gain annual membership in our President's Gold Club.) Within each category we then select specific people based on the interest they've shown in receiving our mail. Thousands are eliminated when we go through this process because they do not meet the standards. But you did! That's why you're receiving the enclosed documents that could make you a millionaire!

How you could be selected a winner. You could win our \$10 million, \$3.5 million or \$1 million SuperPrize® (Giveaway Nos. 555, 525 and 450) if you have the matching winning number and return it by the deadline. We'll take a special early look for the winning number for the \$3.5 Million SuperPrize® (Giveaway No. 525) right after the entry deadline and announce the winner on April 15, 1998 should the number come in from this Bulletin. If the winning number for any matching number Giveaway is not returned by the applicable deadline, we will award the base \$1 Million prize to an alternate winner in a second chance random drawing among all eligible entrants. In the unlikely event a winning number is duplicated, there will be a random drawing among such duplicated numbers to determine the winner. The winner of the 1998 Ford Expedition or \$45 Thousand cash (Giveaway No. 505) will be selected in a random drawing from among all eligible entries at Giveaway end. The winners of Giveaway No. 597 will be selected in random drawings from among all eligible entries at Giveaway end. Odds of winning depend on the number of entries received.

## GIVEAWAYS PROMOTED IN THIS BULLETIN

| PRIZE          | GIVEAWAY NUMBER | ENDING DATE | WINNER SELECTED BY: |
|----------------|-----------------|-------------|---------------------|
| \$ 10 Million  | 555             | 1/31/99     | Winning Number      |
| \$ 3.5 Million | 525             | 7/31/99     | Winning Number      |
| \$ 1 Million   | 450             | 7/31/99     | Winning Number      |
| \$ 45 Thousand | 505             | 4/22/98     | Random Drawing      |
| \$ 8,660.00    | 597             | 4/22/99     | Random Drawing      |

(2 @ \$3,500.00, 3 @ \$350.00, 16 @ \$35.00)

\*Prize may be awarded earlier at our option.

How our prizes pay out. Win \$10,000,000.00 and you will receive \$500,000.00 the first year, \$250,000.00 a year thereafter, and \$2,500,000.00 in the 30th year. Win \$3,500,000.00 and you will receive one lump sum payment. Win \$1,000,000.00 and you will receive \$50,000.00 the first year, then \$25,000.00 a year thereafter, plus a final payment of \$250,000.00 in the 30th year. Present value of Giveaway Nos. 555, 525 and 450 will vary depending on interest rates and market conditions at the time of the award. All other prizes will be paid in full by check at time of award.

How to enter our Giveaways. Simply follow the instructions in this Bulletin and mail your entry by the deadline to be eligible. You may write in as often as you like to enter our current, ongoing Sweepstakes. Just mail each request separately. We do not accept entries from a third party nor entries sent in bulk. We are not responsible for lost, delayed or misdirected mail.

Our Prize Patrol will notify winners of prizes of \$10,000.00 or more in person. We'll contact winners of prizes under \$10,000.00 by mail. The entrant named on the winning entry form will be considered the winner. We must locate any winner and have him or her execute an Affidavit of Eligibility within 30 days or we will select an alternate winner. Acceptance of prize, unless otherwise noted, constitutes permission to use winner's name and photograph in television commercials and for other promotional purposes.

Giveaway Supervisors' decisions are final. Taxes are the winner's responsibility. Sweepstakes is open to residents of the U.S., the U.K., and Canada. Principals and employees of Publishers Clearing House, its affiliates, contest processors, their immediate families and Giveaway Supervisors are not eligible. All federal, state and local laws apply.

To receive future Sweepstakes opportunities, or to obtain our most recent list of winners, just write to us at the address below and let us know.

ALL PRIZES GUARANTEED TO BE AWARDED  
NO PURCHASE NECESSARY TO WIN



© 1998

PUBLISHERS CLEARING HOUSE

101 WINNERS CIRCLE • PORT WASHINGTON, NEW YORK 11050

FILED  
FEB - 11  
PM 4:35  
U.S. DISTRICT COURT  
PORT OF NEW YORK  
AND GEORGETOWN  
DIVISION



## PUBLISHERS CLEARING HOUSE

## COMPUTER AUDIT FORM

Giveaway No.: 525  
Prize to be awarded: \$5,000,000.00

FOR SEPTEMBER  
1998 ENTRY

Contender Status:  
1ST PLACE CONTENDER RIGHTS EXTENDED

Contender's Name & Address:

Prize No.:  
47 4892 4049

Verified By:

D.A.



\*\*\*\*\* 5-DIGIT 60621  
423 17  
David E Smith  
6546 S Stewart Av  
Chicago IL 60621-3140

Award Date:  
DECEMBER 15, 1998

Award Time:  
7:00 PM

CL0121235-32980121317

**ALERT!**  
**PRIZE CLEARANCE**  
**VERIFIED.**

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08 FEB -3 PM 4:34  
DORCIS J. JUDY  
CLERK OF CIRCUIT COURT  
LAW DIVISION



PUBLISHERS  
CLEARING HOUSE

# \$3,500,000.00 PRIZE PAYMENT METHOD REQUEST

Please return this form by 4/13 so I can get things started if you have the winning number. Also, please consider ordering something this time. We've got some really great deals and I know the Prize Patrol would feel a lot better giving the prize to a customer.  
Dan

Official Entry For: David E. Smith

SuperPrize: \$3,500,000.00 for Giveaway No. 525

SuperPrize Number: 5570 4829 5210

David E. Smith, please check below which method of prize payment you would prefer should you win \$3,500,000.00 when we take an early look at your entry and SuperPrize Number on April 15:

☒ Certified Check

☐ Wire Transfer to your bank

At this time, you may request up to 4 items and receive 14-Day Free Inspection Privileges although no purchase is necessary to win any prize. All orders also receive Express Order Processing.

Please sign below. Thank you.

Sign here:

David E. Smith  
David E. Smith

3-18-98 Return

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08 FEB -3 PM 4:34  
DOROTHY J. STOWAN  
CLERK OF CIRCUIT COURT  
LAW DIVISION

|                                  |                                  |                                  |                                  |
|----------------------------------|----------------------------------|----------------------------------|----------------------------------|
| PLACE 1ST<br>ORDER STAMP<br>HERE | PLACE 2ND<br>ORDER STAMP<br>HERE | PLACE 3RD<br>ORDER STAMP<br>HERE | PLACE 4TH<br>ORDER STAMP<br>HERE |
|----------------------------------|----------------------------------|----------------------------------|----------------------------------|

|                            |                            |  |                            |                            |                            |                            |  |                        |
|----------------------------|----------------------------|--|----------------------------|----------------------------|----------------------------|----------------------------|--|------------------------|
| PAYMENT                    |                            | OFFICE USE ONLY:   |                            |                            |                            |                            |  | K0032 10059Fc<br>98-35 |
| C <input type="checkbox"/> | W <input type="checkbox"/> | 0 <input type="checkbox"/>                               | 1 <input type="checkbox"/> | 2 <input type="checkbox"/> | 3 <input type="checkbox"/> | 4 <input type="checkbox"/> |  |                        |
|                            |                            |  |                            |                            |                            |                            |  | I.D. NUMBER            |
| 04                         |                            | DAVID E. SMITH<br>6546 S STEWART AV<br>CHICAGO, IL 60621 |                            |                            |                            |                            |  | 66 1085 2651           |
|                            |                            | Date: ____/____/____                                     |                            |                            |                            |                            |  |                        |

**GUARANTEED  
CASH WINNER****Farmers State Bank**

Transferring Account:

Accounts Generating Funds:

Publishers Clearing House

PCB Giveaways No. 525 &amp; No. 599

Amount of Funds Being Transferred:

Name &amp; Address of Individual Eligible to Receive Funds:

\$5,376,600.00  
(See information below)\*\*\*\* ECRIOT \*\* C045  
546 4

Contest Status:

DAVID E SMITH  
6546 S STEWART AV  
CHICAGO IL 60621-3140

Guaranteed Cash Winner

Special Notes and Information:

As an official financial agent for Publishers Clearing House, Farmers State Bank has been informed that you, David E. Smith, have been selected for a guaranteed Sweepstakes cash prize.

Accordingly, this bank has begun the process of preparing to withdraw prize monies from the Publishers Clearing House account so we can transfer a cash prize to you.

PLEASE NOTE: To claim your cash award, you must complete and return the Contest Documents that will arrive under separate cover. This Bulletin will be delivered to 6546 S Stewart Av within the week. I urge you to respond to it immediately.

Failure to act on these documents will cancel this planned cash transfer. Obviously, it would be well within your interest to be aware that your Contest Documents are coming soon. Thank you for your attention, and good luck.

Clark Vellan  
Executive Vice President  
Farmers State Bank

DEPT. OF JUSTICE  
CLERK OF CIRCUIT COURT  
LAW DIVISION

08 FEB -3 PM 4:34

FILED-5



PUBLISHERS CLEARING HOUSE

## WINNERS DOCUMENT

## Prize Acceptance Affidavit

By affixing the label below, I do hereby testify and confirm that I am in all ways eligible to accept the \$10,000,000.00 SuperPrize from Publishers Clearing House and I understand that I will be declared the

FINAL ROUND  
GIVEAWAY No. 375  
ENDS 1/20/98

WINNER OF

\$10,000,000.00

provided this document arrives in Port Washington, New York, on or before January 20, 1998 and my entry is chosen as the winner.

Therefore, I hereby state and affirm that to the best of my knowledge all information as presented below is true and accurate:

I am not related to any employee of Publishers Clearing House.

I know of no impediments to my eligibility to accept the \$10,000,000.00 prize.

I understand that acceptance of prize constitutes permission to broadcast my winning moment live on television January 25th at the conclusion of the Super Bowl on NBC TV and I will receive an additional payment of \$5,000.00 for this.

I prefer my \$10,000,000.00 prize be paid:

- ☐ Certified Bank Checks  
☒ Direct deposit via electronic transfer into my bank account.  
(Please wait until January 25, 1998 to supply actual account number.)

Furthermore, I'd be happy to say my winning entry contained an order. Therefore please send me the following and grant me *On The House* privileges on any magazine I may order below. I also understand that an order now will upgrade my Customer Status.

GREAT VALUE!  
**ASTROLOGY** 5 ISS.  
YOUR DAILY HOROSCOPE  
FIND OUT WHAT THE STARS HAVE IN STORE FOR YOU  
YOUR PRICE \$10.97  
YOUR PRICE \$2.74  
U8BV M

PLACE 2ND  
ORDER STAMP  
HERE

PLACE 3RD  
ORDER STAMP  
HERE

PLACE 4TH  
ORDER STAMP  
HERE

04

SUPERPRIZE AMOUNT \$10,000,000.00

Signed David E Smith

9810  
F1841

08 FEB -3 PM 4:34

FILED-5

DOROTHY J. SMITH  
CLERK OF CIRCUIT COURT  
LAW DIVISION

DAVID E SMITH  
6546 S STEWART AV  
CHICAGO IL 60621

54 0062 1812

**PUBLISHERS CLEARING HOUSE**  
101 WINNERS CIRCLE • PORT WASHINGTON, NEW YORK 11050

Document 1

Filed 04/28/2008

Page 10 of 20

**YOUR RECORDS****David E. Smith's PCH Prize Shareholder Report****Address:**

6546 S STEWART AV  
CHICAGO IL 60621

**SuperPrize Numbers:**

48 4187 3387 11  
43 4135 0035 21

**Date Prepared:**

November 16, 1998

**Current Status:**

D. Smith, you have achieved Gold Club Status and are a potential PCH Prize Shareholder. An entry now registers your claim to collect your share of prizes from this Bulletin, including:

**\$10,000,000.00 SuperPrize Payout**

**\$3,500,000.00 SuperPrize Payout (to begin 48 hours after we process the Winning Entry)**

**\$100,000.00**

**\$10,000.00**

**\$4,543.00**

**Total Prize Eligibility:**

**\$13,614,543.00**

**How To Claim Your Share:**

In order to register a claim for your share of the major prizes in this Bulletin, David E. Smith, you must complete, sign and mail your Prize Shareholder Claim Certificate to arrive by November 16, 1998.

**Special Prize Payout Instructions:**

As a potential PCH Prize Shareholder, David E. Smith, it is your right to declare how you would like to collect your share of the major prize payouts should you be our winner. You have the option of receiving your payouts in one of two ways. Please tell us which method of payment you prefer by affixing one of the Prize Payout labels below to the enclosed Prize Shareholder Claim Certificate before mailing.

**THE UNDERSIGNED HEREBY ATTESTS AND VERIFIES, AS CONTEST DIRECTOR,  
THAT ALL STATEMENTS IN THIS PCH PRIZE SHAREHOLDER REPORT ARE CORRECT.**

*Dorothy Addco*

Dorothy Addco, Contest Director

**PRIZE PAYOUT OPTION #1**

David E. Smith, declare to collect my share of major prize payouts in the form of ELECTRONIC FUNDS TRANSFER (EFT)

▲ Tear off here and retain top portion for your records. ▲

IMPORANT! Please declare your prize payout option by affixing one of the labels at right or at left to the enclosed Prize Shareholder Claim Certificate before mailing.

**PRIZE PAYOUT OPTION #2**

I, David E. Smith, declare to collect my share of major prize payouts in the form of CASHIER'S CHECK



**MILLIONAIRES & MULTIMILLIONAIRES**

(D)

**GIVEAWAY No. 450****FATHER MIKE BERNER, EARLING, IA****August, 1998 Winner - \$1,000,000.00****GIVEAWAY No. 373**

K.J. Macalister, Edmonton, AB

January, 1998 Winner - \$10,000,000.00

**GIVEAWAY No. 365**

Raulon B. Thomas, Lutz, FL

July, 1997 Winner - \$1,000,000.00

**GIVEAWAY No. 270**

Beata Sankiewicz, Sudbury, ON

January, 1997 Winner - \$10,000,000.00

**GIVEAWAY No. 245**

Martha McMillen, Louisville, MO

July, 1996 Winner - \$1,000,000.00

**GIVEAWAY No. 230**

Patricia DiNardo, Worthington, PA

January, 1996 Winner - \$10,000,000.00

**GIVEAWAY No. 201**

Mildred Hyde, Chatham, NJ

July, 1995 Winner - \$1,000,000.00

**GIVEAWAY No. 200**

Maryann Brandt, Phoenix, AZ

January, 1995 Winner - \$10,000,000.00

**GIVEAWAY No. 192**

Joyce Griffey, Cincinnati, OH

August 1994 Winner - \$1,000,000.00

**GIVEAWAY No. 133**

Alfred Slivnik, St. Cloud, MN

January 1994 Winner - \$10,000,000.00

**GIVEAWAY No. 163**

Joseph LaVita Jr., Walpole, MA

July 1993 Winner - \$1,000,000.00

**GIVEAWAY No. 180**

Diane Malcolm, Watertford, MI

April 1993 Winner - \$1,000,000.00

**GIVEAWAY No. 110**

Pamela Berton, Dickinson, TX

January 1993 Winner - \$10,000,000.00

**GIVEAWAY No. 110**

George Hardie, Whittell, NC

October 1992 Winner - \$1,000,000.00

**GIVEAWAY No. 110**

Glenna Sue King, Childress, TX

March 1992 Winner - \$1,000,000.00

**GIVEAWAY No. 110**

Bill Perkins, Sun City Center, FL

October 1991 Winner - \$1,000,000.00

**GIVEAWAY No. 87**

David Kuobs, Miami, FL

January 1991 Winner - \$10,000,000.00

**GIVEAWAY No. 110**

John Cotter, Fort Worth, TX

October 1990 Winner - \$1,000,000.00

**GIVEAWAY No. 110**

Mary Peterson, Salt Lake City, UT

July 1990 Winner - \$1,000,000.00

**GIVEAWAY No. 110**

Katherine Jackson, Dallas, TX

May 1990 Winner - \$1,000,000.00

**GIVEAWAY No. 74**

Leroy Scarbrough, Bessemer, AL

March 1990 Winner - \$1,000,000.00

**GIVEAWAY No. 75**

Artis Eldridge, Mojave, CA

August 1989 Winner - \$1,000,000.00

**GIVEAWAY No. 56**

Robert Castleberry, Denton, TX

March 1989 Winner - \$10,000,000.00

**GIVEAWAY No. 65**

John Yancy, Austin, TX

August 1988 Winner - \$1,000,000.00

**GIVEAWAY No. 57**

Ann Bishop, Jeffersontown, KY

March 1988 Winner - \$1,000,000.00

**GIVEAWAY No. 53**

James MacPherson, Encinitas, CA

March 1987 Winner - \$1,000,000.00

**GIVEAWAY No. 50**

Barbara Amellino, Belleville, NJ

January 1987 Winner - \$10,000,000.00

**GIVEAWAY No. 44**

Pat Keys, Midland, PA

April 1986 Winner - \$2,000,000.00

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**PUBLISHERS  
CLEARING HOUSE**

CUSTOMER SERVICE  
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PORT WASHINGTON, NEW YORK 11050

1-800-645-9242

January 16, 2008

David E. Smith  
6546S Stewart Av  
Chicago, IL 60621

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Dear David Smith:

Thank you for contacting Publishers Clearing House. We are pleased to have this opportunity to share important information with you regarding our sweepstakes.

Our mailings are opportunities for a chance to win, and provide clear information that the recipient has not yet won any prize, must enter by the deadline, and must be chosen to win. In order to win, an entry must be selected by random drawing or match the winning number selected. Please remember that while we receive entries from all across the land, only one individual can actually win each giveaway. All PCH prizes of \$500 or greater are awarded by either certified mail or in person by our famous Prize Patrol. These awards are done as soon as all winning entries and prizes are matched.

While we have promoted our famous sweepstakes for over 40 years as a way to draw attention to our unbeatable magazine deals and value-based merchandise offerings, no purchase is ever necessary to enter or win. You may be interested to know that a majority of our major prize winners have not ordered with their winning entry. Of course, if you do choose to order, our guarantee policy allows you to return any product or cancel a magazine subscription if you are not happy with your order.

All promotional mailings from Publishers Clearing House carry a prominent "Sweepstakes Facts" insert that among other information states the prize value and odds of winning. The insert reminds all recipients that:

You Have Not Yet Won. All Entries Have The Same Chance Of Winning. The winner has not been identified. We don't know who the winner is. If you enter our Sweepstakes, your entry will have the same chance to win as every other entry.

Enter For Free. You don't have to buy anything to enter. Just

*From Our House to Your House*

mail the entry form included in this mailing or follow the instructions in the Official Rules.

Enter As Often As You Like. You don't have to wait for us to mail you an entry form. You may submit additional entries simply by writing to us at Publishers Clearing House, 101 Winners Circle Port Washington, NY 11050. Each time you write to us you will be entered once in each ongoing Sweepstakes. Each entry request must be mailed separately.

Buying Won't Help You Win. Your chances of winning without a purchase are the same as the chances of someone who buys something. It would not be lawful to give any advantage to buyers in a Sweepstakes.

At Publishers Clearing House your satisfaction is our number one priority. If we can be of further assistance, please contact us toll-free at 1-800-645-9242 or visit our website at [www.pch.com](http://www.pch.com).

Cordially,

Director, Customer Service

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September 17, 1999

David E. Smith  
6546 S. Stewart Av  
Chicago, IL 60621

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Order Number: 1026-5441-1805

Dear David Smith:

Thanks for contacting us. We are always glad to hear from our customers.

The winner verification process is not complete. Right now our Prize Patrol is eagerly awaiting the opportunity to call on our next big winner in person. If you are that lucky person, the Prize Patrol, headed by Dave Sayer, will use all their resources to locate you and present you with your prize.

At Publishers Clearing House your satisfaction is our number one priority. If we can be of further assistance in the future, please don't hesitate to contact us toll-free at 1-800-645-9242. Our lines are open Monday through Friday, 8:30 a.m. - 8:30 p.m. Eastern time.

Cordially,

Angie McGuire  
Director, Customer Satisfaction

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